

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ERIC KITAZI.

Plaintiff,

V.₂

SELLEN CONSTRUCTION
COMPANY INC, a corporation;
ROBERT P. McCLESKEY, Director in
his individual and corporate capacities
and on behalf of his marital community
with JANE DOE McCLESKEY

Defendants.

CASE NO. C16-1651-MJP

**ORDER GRANTING PLAINTIFF'S
MOTION FOR ATTORNEYS' FEES**

Plaintiff seeks an award of \$227,782.50 in fees to compensate counsel for their time on

No. 87.) The Court has considered the Motion, the Response (Dkt. No. 98), the Reply (Dkt. No. 101) and all related papers.

Plaintiff seeks an award of \$227,782.50 in fees to compensate counsel for their time on this matter. (See Dkt. No. 87.) Plaintiff's counsel submit that they are entitled to the following hourly billing rates: \$475.00 per hour for Beverly Grant; \$275.00 per hour for Elizabeth Lunde; \$425.00 per hour for Patricia Rose; and \$100.00 per hour for Carla Sullivan. (Id.) Plaintiff's

1 counsel also request a lodestar multiplier of .5. (Id.) In addition, Plaintiff seeks costs in the
2 amount of \$21,046.03. (Id.) Defendant argues that because Plaintiff prevailed only on his
3 hostile work environment and retaliation claims, the fee award should be reduced
4 proportionately. (See Dkt. No. 98.)

5 The Court finds that, having prevailed on his claims for hostile work environment and
6 retaliation, and having been awarded substantial non-economic damages by a unanimous jury,
7 Plaintiff is the prevailing party under Title VII, 42 U.S.C. § 2000(e) et seq. and the Washington
8 Law Against Discrimination, RCW 49.60.030(2). The Court therefore declines to grant
9 Defendant's request for a proportionate reduction.

10 The Court further finds that this case involved a relatively straightforward fact pattern.
11 Plaintiff called only two witnesses at trial, and presented few exhibits to the jury. The law
12 regarding employment discrimination is well-settled, and is clearly set forth in state and federal
13 pattern jury instructions. Because counsel's hourly rates are ample compensation for their efforts
14 in this case, the Court declines to grant Plaintiff's request for a lodestar multiplier.

15 The Court further reduces Ms. Rose's hourly rate to \$350.00 to reflect her 2014-2017 rate
16 as set forth in her declaration. (See Dkt. No. 93 at ¶ 9.)

17 Accordingly, the Court ORDERS as follows: Defendant Sellen Construction Company,
18 Inc. is hereby ORDERED to pay Plaintiff attorneys' fees in the amount of \$148,422.50. The
19 Court will not take up the request for costs, but advises Plaintiff to file a separate Bill of Costs
20 with the clerk within five (5) days, pursuant to Local Rule 54.

21 The clerk is ordered to provide copies of this order to all counsel.
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1 Dated January 31, 2018.
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Marsha J. Pechman
United States District Judge